



Town of Hampden  
**Planning and Development Committee**  
Wednesday August 16, 2017, 6:00 pm  
Municipal Building Council Chambers  
**Minutes**

Attending:

Committee/Council

Ivan McPike-Chair  
Terry McAvoy  
David Ryder  
Dennis Marble  
Stephen Wilde  
Greg Sirois

Staff

Angus Jennings, Town Manager  
Myles Block, Code Enforcement Officer  
Karen Cullen, Town Planner (*first 10 min*)

Public

Connie and Paul Potvin  
Penny Markowitz-Moses  
Other residents

Chairman McPike called the meeting to order at 6:00 pm.

1. **Approval of July 19, 2017 Minutes – Motion** to approve as submitted made by Councilor Marble with second by Councilor McAvoy; carried 6-0.
2. **Committee Applications: Penny Markowitz-Moses for Board of Appeals –** Chairman McPike welcomed Ms. Markowitz-Moses and thanked her for her interest in serving. Councilor Marble asked what motivated her, and she referred to her prior public service in a community she used to live in, and said she believes in giving back to her community. Motion by Councilor Marble seconded by Councilor Wilde to recommend Council appointment of Penny Markowitz-Moses to the Board of Appeals. Motion carried 6-0.
3. **Updates:**

Manager Jennings announced that the Town Planner would be out for an extended period of time due to recurring health concerns, and that he is corresponding with potential contracted resources to help manage workload in the Planner's absence. Planner Cullen expressed her hope that her health would improve to allow her to return, and the Committee shared this hope.

  - A. **MRC/Fiberight** – Manager Jennings provided an update on the infrastructure construction and work to date on site prep. Biweekly calls including MRC, Fiberight, the Town and DEP continue to keep a constant flow of information. Project financing has not yet closed and the Town will await confirmation when this milestone is reached.
  - B. **Staff Report** – Manager Jennings updated the Committee on the ongoing State DECD review of the proposed Business Park TIF. Two items were

identified during the review and required changes to the TIF: one relating to “portage” of funds to a potential future Downtown TIF District; the State will not approve this even though it was part of the Emera TIF as well. The second change related to clarification of what portion of the Sucker Brook Watershed would be an eligible area for expenditure of TIF funds.

The second staff report item related to the memo from the Building Inspector regarding the building at 106 Main Road South. The building is visually deteriorated but was found to be structurally sound and does not represent a danger to public safety. Therefore under the current ordinances this is not an area where the Town has an enforcement interest.

**4. Old Business:**

**A. Conservation Easement for Colonial Heights Phase 3 – Manager**

Jennings summarized the two changes proposed by the developer since the prior Council vote to not become the Grantee for the Conservation Easement. One change provides public access to a portion of the property - the snowmobile trail – and the other change clarifies that it is the Grantor's responsibility to mark and maintain boundaries. Mayor Ryder said it makes more sense to allow public access, and said he feels better about it. Councilor Marble referred to the market study's findings about Hampden's strength in housing, and said he thinks accepting the C.E. will support this development and be “business friendly.” He also said he likes the public access aspect, especially because it's adjacent to protected land. There was a motion by Councilor Marble seconded by Councilor Wilde to recommend Council acceptance of the Conservation Easement, upon Town Attorney review of the proposed language. The motion carried 6-0.

**5. New Business:**

**A. Landfill Post Closure Monitoring Report – Manager Jennings summarized**

the recent report from Drumlin, LLC and noted the comments received from resident Bill Lippincott. Councilor McPike noted that the Environmental Trust Committee acts in a supporting role, with the primary roles held by the landowner (Casella) and DEP. Councilor Marble said he struggles with the technical nature of the reports. There was brief discussion of the fire at the landfill last Friday, and it was agreed that incident reports for such events should be shared with Drumlin, DEP and Councilors.

**B. Citizen's Climate Lobby – Proposed Resolution on climate change –**

Hampden residents Connie and Paul Potvin appeared to express their concern about the environment in Hampden, in Maine, and the national and global environment. They are 27-year Hampden residents, and volunteers with the Citizens Climate Lobby. They are recommending a policy to establish a carbon fee and dividend. They expressed support for the service of elected officials, and said they have also met with the U.S. Senators and Congressional offices. They said climate change is a non-partisan issue and that the carbon fee and dividend would be revenue neutral. They asked the Town to support federal action on climate change. They said the proposal they're advocating is effective, reduces carbon emissions, creates jobs,

*stimulates the economy, and saves lives. They noted impacts of climate change on Maine industries including shrimp, lobsters, tourism and property values.*

*Councilors expressed concern about the role of the federal government in this policy proposal, and whether funds taken for that purpose would be used for that purpose. There was a question about how the proposal would affect the cost of fossil fuels and it was said that it would add to the cost of gas but that biomass would be exempt. There was a question about what if China will not participate, and there was discussion of a border adjustment tax.*

*There was discussion about whether this was the type of action the Council should be considering. Councilor McAvoy said he doesn't think the Council should be endorsing a specific policy or program. Councilor Marble said he didn't think this could be figured out in one night, and Councilor McPike said he would like to have more information to consider. Councilor Wilde said he would like to read up further on the organization. Connie Potvin said they'd be glad to meet with Councilors or others one on one to review their proposal. Chairman McPike said to add this item for continued discussion, not at the next meeting but a couple of meetings out to allow time for review.*

**6. Zoning Considerations/Discussion:**

**A. Recreational Marijuana** – *Manager Jennings summarized the draft zoning language, which is focused exclusively on prohibiting retail marijuana sales and social clubs, but does not extend to other retail marijuana uses (i.e. cultivation, processing, testing). There was a motion by Councilor Marble seconded by Councilor Sirois to refer the amendments to Council for their referral to the Planning Board for hearing and recommendation. Motion carried 6-0.*

**7. Citizens Initiatives** – *None.*

**8. Public Comments** – *None.*

**9. Committee Member Comments** – *Chairman McPike emphasized the importance of getting the Planning Department's staffing needs covered during the period when the Town Planner will be unavailable. He noted the many efforts underway and said we need to continue to make progress. He and Councilor Marble agreed that the workload could not simply shift to the Town Manager due to overall workload, and that outside resources would be needed.*

**10. Executive Session pursuant to 1 MRSA Sec. 405(6)(E)** - *to confer with the Town's legal counsel concerning the legal rights and duties of the Town – There was a motion by Councilor Marble seconded by Councilor Sirois to enter Executive Session in order to confer with the Town's legal counsel concerning the legal rights and duties of the Town. There was a roll call vote: Wilde – yes; McAvoy – yes; Marble –*

yes; Ryder – yes; McPike – yes; Sirois – yes. The Committee entered Executive Session including the Town Manager and outside counsel Kate Grossman of Farrell, Rosenblatt & Russell. The Committee exited Executive Session by roll call vote at 7:48.

11. **Adjournment:** There was a ***motion*** and a ***second*** to adjourn at 7:49 pm. The motion carried 6-0.

*Respectfully submitted –*  
*Angus Jennings, Town Manager*